

J (5)

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
WILLIAMSPORT DIVISION

FINANCIAL FEDERAL CREDIT INC.,

Plaintiff,

vs.

BENNERS' AMUSEMENTS, INC.,  
KENNETH E. BENNER, AND  
SUSQUEHANNA VALLEY AMUSEMENTS,  
INC.,

Defendants.

CASE NO. 4:CV 06-0041

JUDGE:

AGREED JUDGMENT ORDER OF  
REPLEVIN

Document No. \_\_\_\_\_

Related to Document No. 1

**AGREED JUDGMENT ORDER OF REPLEVIN**

Plaintiff, FINANCIAL FEDERAL CREDIT, INC. ("FFCI") commenced this action against Defendants , BENNERS' AMUSEMENTS, INC., KENNETH E. BENNER, AND SUSQUEHANNA VALLEY AMUSEMENTS, INC. (collectively, "Defendants") to obtain possession of certain equipment including all attachments and accessories (the "Equipment") as follows:

DESCRIPTION	SERIAL NUMBER / VIN #
Chance Sky Diver Amusement Ride, mounted on Two Trailers	77-1265 77-10645; S614386
San Antonio Merry-Go-Round Amusement Ride, mounted on Trailer	MG140 MG140
Chance Yo-Yo Amusement Ride, mounted on Trailer	74-3311 74-10512
Chance Zipper Amusement Ride mounted on Trailer	74-1880 74-10482
1989 Wells Cargo Pizza Trailer	1WC200J29J1039591
1979 Wells Cargo Game Trailer With two (2) games	
1985 Gross Cotton Candy Trailer	TR77641
1985 Otterbacher Game Trailer	AG0185908

FFCI also filed an Ex Parte Motion for Issuance of an Order of Seizure which Motion was granted and upon which this Court entered an *Order of Seizure*.

FFCI has posted a bond with the Court on the Order of Seizure.

The parties have resolved the Motion and this action in accordance with the terms set forth in this Order. The parties consent to the Court's entry of this Order.

IT IS, THEREFORE, ORDER, ADJUDGED AND DECREED:

(1) FFCI is hereby granted possession of the Equipment.

(2) The Court enters final judgment in favor of FFCI in the amount of One Hundred Twenty Four Thousand Dollars (\$124,119.00) plus interest accrued after December 29, 2005 through the date hereof, plus attorney fees, expenses and costs, plus interest accruing hereafter at the contract rate hereafter.

(3) As long as Defendants make payments in accordance with the Forbearance Agreement executed or to be executed by the Parties, then FFCI shall not request execution on this Order.

(4) Defendants shall maintain insurance on the Equipment in an amount not less than the Judgment amount entered hereunder and FFCI shall be listed as a loss payee on all such insurance policies.

(5) If Defendants fail to execute the Forbearance Agreement or otherwise default thereunder, including failure to make payments or to maintain insurance then FFCI shall give notice to of the default to Defendants and if Defendants fail to cure the default within 5 days after notice, then Defendants shall assemble and deliver the Equipment to a location designated by FFCI. If Defendants fail to deliver the Equipment within 5 days, then FFCI shall be entitled to request the United States Marshal to deliver possession of the Equipment to FFCI.

- (6) The Bond posted by FFCI is hereby released and relinquished to FFCI.
- (7) Defendants will pay any court costs in excess of the original deposit made by FFCI.
- (8) The Court shall retain jurisdiction to enforce the terms of this Order.

Dated:

\_\_\_\_\_  
J.  
U.S. District Court Judge

**Consented to:**

Defendants:

\_\_\_\_\_  
KENNETH BENNER

BENNER'S AMUSEMENTS, INC.,

By: \_\_\_\_\_  
Kenneth Benner, President

SUSQUEHANNA VALLEY AMUSEMENTS,  
INC.

By: \_\_\_\_\_

*Plaintiff Financial Federal Credit, Inc.*  
By its Counsel:

TUCKER ARENSBERG, P.C.


By: Beverly Weiss Manne  
Beverly Weiss Manne, Esquire  
PA I.D. #34545  
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- (6) The Bond posted by FFCI is hereby released and relinquished to FFCI.
- (7) Defendants will pay any court costs in excess of the original deposit made by

FFCI.

- (8) The Court shall retain jurisdiction to enforce the terms of this Order.

Dated: 4-4-06

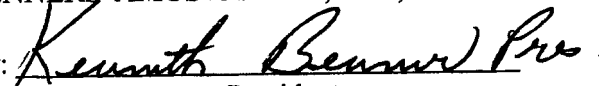
  
\_\_\_\_\_  
U.S. District Court Judge J.

Consented to:


Defendants:

  
\_\_\_\_\_  
KENNETH BENNER

BENNERS' AMUSEMENTS, INC.,

By:   
\_\_\_\_\_  
Kenneth Benner, President

SUSQUEHANNA VALLEY AMUSEMENTS,  
INC.

By:   
\_\_\_\_\_  
Kenneth Benner, President

*Plaintiff Financial Federal Credit, Inc.*  
By its Counsel:

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